
SENATE BILL 6720

State of Washington 55th Legislature 1998 Regular Session

By Senators Strannigan and Anderson

Read first time 01/29/98. Referred to Committee on Transportation.

1 AN ACT Relating to intermediate drivers' licenses; amending RCW
2 46.20.031, 46.20.100, 46.20.105, and 46.20.120; adding a new section to
3 chapter 46.20 RCW; creating a new section; prescribing penalties; and
4 providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature recognizes the need to
7 develop a graduated licensing system in light of the disproportionately
8 high incidence of motor vehicle accidents and fatalities involving
9 young drivers. This system will improve highway safety by
10 progressively developing and improving the skills of younger drivers in
11 the safest possible environment, thereby reducing the number of vehicle
12 accidents.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.20 RCW
14 to read as follows:

- 15 (1) An applicant for an intermediate driver's license must have:
- 16 (a) Possessed a valid instruction permit under RCW 46.20.055 for a
17 period of not less than six months, during which time no conviction of
18 a drug or alcohol offense under chapter 66.44, 69.41, 69.50, or 69.52

1 RCW, a driver under twenty-one consuming alcohol violation under RCW
2 46.61.503, a seat belt requirement violation under RCW 46.61.688, or
3 other violations of driver-related safety laws has occurred;

4 (b) Passed a driver licensing examination as prescribed by RCW
5 46.20.130;

6 (c) Paid the fee prescribed by RCW 46.20.161; and

7 (d) Passed a traffic safety education course meeting the
8 requirements of RCW 46.20.100.

9 (2) An intermediate license allows unsupervised driving from 5:00
10 a.m. to 9:00 p.m. At all other times the intermediate licensee must be
11 accompanied by a licensed driver who has had at least five years of
12 driving experience and is occupying a seat beside the driver. The
13 supervising licensed driver must be the only other occupant of the
14 front passenger section of the vehicle.

15 (3) The intermediate licensee shall not place the vehicle in motion
16 until every occupant of the vehicle has a seat belt properly fastened
17 in compliance with RCW 46.61.688.

18 (4) An intermediate licensee who has held the intermediate license
19 for at least six months and has maintained a satisfactory driving
20 record for one year may upon proper application and payment of the fee
21 prescribed in RCW 46.20.161 be issued a regular driver's license.

22 (5) The intermediate license is valid for a period of at least one
23 year from the date of its issuance.

24 (6) If an intermediate licensee drives a motor vehicle in violation
25 of the intermediate license conditions specified in this section, the
26 conditions will remain in effect for an additional six months, and the
27 licensee will be ineligible to apply for a full license for an
28 additional six months. This penalty is in addition to any other
29 penalty for the offense that is provided elsewhere in statute.

30 **Sec. 3.** RCW 46.20.031 and 1995 c 219 s 1 are each amended to read
31 as follows:

32 The department shall not issue a driver's license hereunder:

33 (1) To any person who is under the age of (~~sixteen~~) eighteen
34 years unless the applicant has complied with the requirements for
35 intermediate licensing under section 2 of this act;

36 (2) To any person whose license has been suspended during such
37 suspension, nor to any person whose license has been revoked, except as
38 provided in RCW 46.20.311;

1 (3) To any person who has been evaluated by a program approved by
2 the department of social and health services as being an alcoholic,
3 drug addict, alcohol abuser, and/or drug abuser: PROVIDED, That a
4 license may be issued if the department determines that such person has
5 been granted a deferred prosecution, pursuant to chapter 10.05 RCW, or
6 is satisfactorily participating in or has successfully completed an
7 alcohol or drug abuse treatment program approved by the department of
8 social and health services and has established control of his or her
9 alcohol and/or drug abuse problem;

10 (4) To any person who has previously been adjudged to be mentally
11 ill or insane, or to be incompetent due to any mental disability or
12 disease, and who has not at the time of application been restored to
13 competency by the methods provided by law: PROVIDED, HOWEVER, That no
14 person so adjudged shall be denied a license for such cause if the
15 superior court should find him able to operate a motor vehicle with
16 safety upon the highways during such incompetency;

17 (5) To any person who is required by this chapter to take an
18 examination, unless such person shall have successfully passed such
19 examination;

20 (6) To any person who is required under the laws of this state to
21 deposit proof of financial responsibility and who has not deposited
22 such proof;

23 (7) To any person when the department has good and substantial
24 evidence to reasonably conclude that such person by reason of physical
25 or mental disability would not be able to operate a motor vehicle with
26 safety upon the highways; subject to review by a court of competent
27 jurisdiction;

28 (8) To a person when the department has been notified by a court
29 that the person has violated his or her written promise to appear,
30 respond, or comply regarding a notice of infraction issued for a
31 violation of RCW 46.55.105, unless the department has received notice
32 from the court showing that the person has been found not to have
33 committed the violation of RCW 46.55.105, or that the person has paid
34 all monetary penalties owing, including completion of community
35 service, and that the court is satisfied that the person has made
36 restitution as provided by RCW 46.55.105(2).

37 **Sec. 4.** RCW 46.20.100 and 1990 c 250 s 36 are each amended to read
38 as follows:

1 The department of licensing shall not consider an application of
2 any minor under the age of eighteen years for a driver's license or the
3 issuance of a motorcycle endorsement for a particular category unless:

4 (1) The application is also signed by a parent or guardian having
5 the custody of such minor, or in the event a minor under the age of
6 eighteen has no father, mother, or guardian, then a driver's license
7 shall not be issued to the minor unless his or her application is also
8 signed by the minor's employer; ((and))

9 (2) The applicant has satisfactorily completed a traffic safety
10 education course as defined in RCW 28A.220.020, conducted by a
11 recognized secondary school, that meets the standards established by
12 the office of the state superintendent of public instruction or the
13 applicant has satisfactorily completed a traffic safety education
14 course, conducted by a commercial driving instruction enterprise, that
15 meets the standards established by the office of the superintendent of
16 public instruction and is officially approved by that office on an
17 annual basis: PROVIDED, HOWEVER, That the director may upon a showing
18 that an applicant was unable to take or complete a driver education
19 course waive that requirement if the applicant shows to the
20 satisfaction of the department that a need exists for the applicant to
21 operate a motor vehicle and he or she has the ability to operate a
22 motor vehicle in such a manner as not to jeopardize the safety of
23 persons or property, under rules to be promulgated by the department in
24 concert with the supervisor of the traffic safety education section,
25 office of the superintendent of public instruction. For a person under
26 the age of eighteen years to obtain a motorcycle endorsement, he or she
27 must successfully complete a motorcycle safety education course that
28 meets the standards established by the department of licensing.

29 The department may waive any education requirement under this
30 subsection for an applicant previously licensed to drive a motor
31 vehicle or motorcycle outside this state if the applicant provides
32 proof satisfactory to the department that he or she has had education
33 equivalent to that required under this subsection;

34 (3) The applicant possessed a valid instruction permit under RCW
35 46.20.055 for a period of not less than six months;

36 (4) The applicant possessed a valid intermediate driver's license
37 under section 2 of this act for a period of not less than six months;

38 and

1 (5) The applicant has maintained a satisfactory driving record.
2 For the purposes of this section, an applicant's driving record is
3 deemed to be satisfactory if he or she has not been found to have
4 committed or been convicted of violating any traffic regulations
5 governing the movement of vehicles, a state drug or alcohol law under
6 chapter 66.44, 69.41, 69.50, or 69.52 RCW, being a driver under twenty-
7 one consuming alcohol under RCW 46.61.503, a seat belt requirement
8 under RCW 46.61.688, or other driver-related safety law of any state
9 for at least the period of one year immediately before the date of the
10 application for a regular driver's license.

11 **Sec. 5.** RCW 46.20.105 and 1987 c 463 s 3 are each amended to read
12 as follows:

13 (1) The department may provide a method to distinguish the driver's
14 license of a person who is under the age of twenty-one from the
15 driver's license of a person who is twenty-one years of age or older.

16 (2) An instruction permit must be identified as an "instruction
17 permit" and issued in a distinctive form as determined by the
18 department.

19 (3) An intermediate license must be identified as an "intermediate
20 license" and issued in a distinctive form as determined by the
21 department.

22 **Sec. 6.** RCW 46.20.120 and 1990 c 9 s 1 are each amended to read as
23 follows:

24 No new driver's license, whether an intermediate license or a
25 regular license, may be issued and no previously issued license may be
26 renewed until the applicant therefor has successfully passed a driver
27 licensing examination. However, the department may waive all or any
28 part of the examination of any person applying for the renewal of a
29 driver's license except when the department determines that an
30 applicant for a driver's license is not qualified to hold a driver's
31 license under this title. The department may also waive the actual
32 demonstration of the ability to operate a motor vehicle by a person who
33 surrenders a valid driver's license issued by the person's previous
34 home state and who is otherwise qualified to be licensed. For a new
35 license examination a fee of seven dollars shall be paid by each
36 applicant, in addition to the fee charged for issuance of the license.
37 A new license is one issued to a driver who has not been previously

1 licensed in this state or to a driver whose last previous Washington
2 license has been expired for more than four years.

3 Any person renewing his or her driver's license more than sixty
4 days after the license has expired shall pay a penalty fee of ten
5 dollars in addition to the renewal fee under RCW 46.20.181. The
6 penalty fee shall be deposited in the highway safety fund.

7 Any person who is outside the state at the time his or her driver's
8 license expires or who is unable to renew the license due to any
9 incapacity may renew the license within sixty days after returning to
10 this state or within sixty days after the termination of any such
11 incapacity without the payment of the penalty fee.

12 The department shall provide for giving examinations at places and
13 times reasonably available to the people of this state.

14 NEW SECTION. **Sec. 7.** This act takes effect January 1, 1999.

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